

Subject: February 4, 2005 Meeting Minutes

A meeting of the Perchlorate Community Advisory Group was held at the San Martin Lions Club, 12415 Murphy Avenue, San Martin, on February 4th, 2005 at 2 pm.

I. Pledge: The Chair, Ms. Sylvia Hamilton, led the Pledge.

II. Administrative Items:

- A. Introductions
- B. Attendee Sign-In Sheet was routed
- C. No new items added to the agenda
- D. December 10th, 2004 meeting minutes approved as written
- E. Meeting dates for 2005
 - 1. Motion to accept the meeting dates for 2005 as written, motion passed.

III. Presentation/Discussion Topics

A. Groundwater Guardian Program

- 1. Award Presentation: Tracy Hemmeter informed PCAG that the Santa Clara Valley Water District had received official designation from The Groundwater Foundation as an affiliate and that PCAG had been designated as a Groundwater Guardian Community. She then introduced Santa Clara Valley Water District Board Director, Ms. Rosemary Kamei. Ms. Kamei applauded PCAG for their tremendous work and thanked Sylvia for her leadership and contribution to this effort. Ms. Hamilton then thanked the Water District for all their support and involvement with Groundwater Guardian program and of PCAG
- 2. 2005 Work Plan: The work plan for the year 2004 consisted of education and outreach for the community (i.e. repositories, interested parties contacts, media). The focus in 2005 will be coordinating public outreach efforts with various media agencies. Another important issue is access agreements and informing community members regarding their options.

B. National Academy of Science (NAS) Report

- 1. Technical Analysis (Jerry Orlando-TOSC)
 - a) Mr. Orlando reviewed the National Research Council Report on the health implications of perchlorate ingestion. The NAS study consisted of three main tasks: assess the present information about perchlorate health effects, evaluate animal studies, and to evaluate the EPA's perchlorate risk assessment.
 - b) Assess the present information on perchlorate health effects: Present data shows no causal link to serious adverse health effects. However, the studies are lacking information and analysis of the potential health risks for more vulnerable groups such as the embryo, infants and nursing mothers.
 - c) Evaluate animal studies on perchlorate effects: Animal studies done on rats which were given different amounts of perchlorate and then monitored. When the results were compared to that of humans, scientists concluded that rat studies in this case are not applicable to humans.
 - d) Evaluate EPA's perchlorate risk assessment: The NAS committee evaluated the EPA's perchlorate risk assessment and identified four key differences:
 - (1) Mode of Perchlorate Action was slightly different then that of the EPA. NAS approved the EPA's early version of eventsCTSH, T3, and T4

hormone changes. NAS disagreed that later events showed that perchlorate ingestion could lead to not only birth defects and tumors. NAS said hormone changes could lead to thyroid changes and possible hypothyroidism. NAS believe the human body has strong hormone system compensations that animals do not have.

- (2) Definition of Adverse Effect: The EPA studies show that a change in TSH or T3 and T4 levels is an adverse effect. The NAS study believes that hypothyroidism is the first adverse effect.
 - (3) Point of Departure for Setting Reference Dose: The two organizations differed on the point of departure for setting a reference dose. EPA used a No Observable Adverse Effect Level (NOAEL), while NAS used a No Observable Effect Level (NOEL).
 - (4) Uncertainty Factor: NAS used an uncertainty factor of 10, to protect sensitive populations and noted that using the NOEL also adds protection.
 - e) The NAS committee had three research recommendations:
 - (1) Long-term studies on chronic exposure
 - (2) Studies on prenatal primates
 - (3) Studies on at-risk populations
2. Environmental Analysis (Andria Ventura-Clean Water Action)
- a) Clean Water Action is an environmental interest group that focuses on drinking water protection, and works with state and federal lawmakers on environmental health issues. The group is responding to the NAS report with a petition. The petition urges OEHHA to set the Public Health Goal at 1 ppb. In addition, Clean Water Action urges PCAG to write a letter to the California Office of Environmental Health Hazard Assessment Administrator Joan Denton urging them to change the public health goal to 1 part per billion.
 - b) Ms. Ventura and her organization have also been in contact with DHS and inquired whether a change to the Public Health Goal would cause DHS to adopt emergency regulations for perchlorate. Ms. Ventura said that DHS's Dr. Spath would recommend an emergency regulation of the MCL if OEHHA reconsiders the PHG.
3. Legislative Aspect (Craig O'Donnell): Assemblyman John Laird's office is extremely concerned about the NAS report. A letter will be written to the California EPA about their position. Currently there is no legislation moving forward regarding the issue.

C. RWQCB Update (David Athey)

1. A draft Cleanup and Abatement Order (CAO) was issued for public comment on February 4, 2005. Comments are due to the Regional Board by February 25, 2005. Comments can be submitted by phone or email, and are encouraged. The RWQCB, SCVWD, and Sylvia are always open to public comments.
2. The CAO findings establish a factual record and present a basis for the CAO issuance.
3. Mr. Athey explained key features of the CAO. The CAO Ordering Paragraphs include:
 - a) Llagas subbasin monitoring plan, which includes the following requirements:
 - (1) Delineate lateral and vertical extent of perchlorate plume in all aquifer zones.
 - (2) Determine plume migration status

- (3) Install offsite-monitoring wells and characterize supply wells.
- (4) Provide data to advance and improve the offsite hydrogeologic conceptual model.
- b) Llagas Subbasin Characterization Report
- c) Plume Migration Control Assessment Report to evaluate the need for plume migration control to stop and/or contain the perchlorate migration.
- d) Plume Migration Control Work Plan
- e) Plume Migration Control Implementation
- f) Llagas Subbasin Cleanup Level Report: In conformance with State Board Resolution 92-49, Olin shall propose a perchlorate cleanup level for basin.
- g) Llagas Subbasin Cleanup Feasibility Study, which is an analysis of alternatives for long-term, basin-wide groundwater cleanup
- h) Llagas Subbasin Cleanup Work plan
- i) Implementation of Llagas Subbasin Work Plan
- 4. Olin may re-evaluate cleanup plan and cleanup standards if health goals or maximum contaminate levels change.
- 5. Olin may submit reports of evaluating new technical and economic information

Q: Should the cleanup level report and study be combined?

A: Mr. Athey replied that a study be done until the characterization report is complete.

Q: The City of Morgan Hill is concerned that the NE flow has been excluded.

Q. What is the timeframe for Executive Officer concurrence on the different reports and work plans?

A. Mr. Athey responded that it can be days up to four months.

Q. Is technical infeasibility a pre-requisite for a cleanup level greater than background?

A. Mr. Athey will provide additional clarification to PCAG on Water Board policy regarding setting cleanup levels.

- 6. Ms. Hamilton asked the members of PCAG to form a sub-committee in order to prepare a comment letter from the PCAG on the draft CAO.

D. Alternative Water Supply

- 1. PCAG has presented information on the various types of technology available as an alternative water supply for those residents with contaminated wells. Reverse osmosis systems have recently been certified for perchlorate removal. PCAG has also discussed wellhead treatment technology and identified it as an option.
- 2. Ms. Hamilton asked PCAG for permission to draft a letter asking DHS to investigate the status of wellhead treatment technology certification. PCAG granted permission.
- 3. Ms. Hemmeter talked briefly about reverse osmosis filtration systems. Residents in San Martin, Morgan Hill, and Gilroy have these systems, but may be unaware that it needs any kind of maintenance. PCAG's Groundwater Guardian (GG) team plans to educate the community about these systems using the help of the media. The GG facts sheet for RO systems was handed out and will be available for community distribution.

IV. Next Meeting- March 4, 2005 from 2 – 4 pm at the Lions Club Hall.

Meeting was adjourned

Minutes submitted by Zohra Karimi